

REMARKS

Applicant requests reconsideration and withdrawal of the outstanding rejection in view of the foregoing amendments and the following remarks.

Claims 24-49 are pending in this application, with Claims 24, 27, 30-32, 36, 40, and 41 being independent. Claims 24, 27, 30-32, 36, 40, and 41 have been amended. Claims 42-49 have been newly added. Applicant submits no new matter is presented by the amendments.

Claims 24-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,140,435 (Suzuki et al.) in view of U.S. Patent No. 5,164,865 (Shaw).

In response, while not conceding the propriety of the rejection, Claims 24, 27, 30-32, 36, 40, and 41 have been amended. Applicant submits that as amended, these claims are allowable for the following reasons.

Independent Claim 24 relates to a video print system comprising reading means, setting means for setting a period for designating a print target image, and print means.

Claim 24 has been amended to recite that the reading means is for reading, from a storage medium which stores plural still image information and time information included in each still image information, the still image information and the time information. Claim 24 has also been amended to recite that the print means is for printing the still image information including the time information between a first moment and a last moment of the period set by the setting means.

By this arrangement, the user can 1) extract a still image taken between a first moment and a last moment of a settable period and 2) print the still image information including time information of a desired time. In addition, by this arrangement, a still image to be printed can be specified and found with great speed and high accuracy by permitting the user to specify the still images to be printed *by inputting the time associated therewith*, providing a simple operating environment in which the user can specify, at the same time, plural still images to be printed, as discussed for example, at pages 34-37 of the specification. This can be accomplished, for example, by the operator setting a predetermined time period, for example, by specifying a starting time T1 and a completion time T2, so that the still images associated with the times therebetween are printed.

In contrast, the patents to Suzuki et al. and Shaw are not understood to disclose or suggest print means is for printing the still image information including the time information between a first moment and a last moment of a period set by setting means, as recited by amended Claim 1.

The Office Action cites column 12, lines 28-36 of the Suzuki et al. patent as showing print means for printing image information between first and last moments of a period set by setting means. But this portion of the Suzuki et al. patent is understood to merely state that a desired frame is printed during normal playback. The normal playback referred to in this passage appears to be related to the process described at column 10, line 49 through column 11, line 40. This passage is understood to disclose that the observer, upon observing the frames surrounding the frame identified by previous operation of the search switch 5, inputs a frame number between 1 and 9 into the frame designation number

input section 20a to confirm the frame desired to be printed, and that this specified frame is thereafter printed. Thus, this patent is not understood to print still image information including time information between a first and a last moment of a period set by a period setting means, as recited by Claim 24. Rather, a video image is printed based information read as a result of a keyboard input of a frame number. Moreover, the Shaw patent is not understood to cure this deficiency, nor does the Office Action assert that it does, since page 3 of the Office Action cites this patent to merely show the storing of time information included in each image information.

Since MPEP § 2142 requires the cited art to disclose or suggest all the claimed features to establish a prima facie case of obviousness, and since the patents to Suzuki et al. and Shaw are not understood to disclose or suggest at least one feature of amended Claim 24, the Office is not understood to have yet established a prima facie case of obviousness against amended Claim 24. For this reason, Applicant respectfully requests that the rejection of Claim 24 be withdrawn. And since independent Claims 27, 30, and 31 are corresponding method, recording medium, and program claims that correspond to Claim 24, they are allowable for corresponding reasons.

Amended Claim 32 recites a print instruction apparatus comprising setting means for setting a period for designating a print target image, and print instruction means for instructing to print, from among still image information stored in a storage medium, still image information including time information between a first moment and a last moment of the period set by said setting means. For the reasons discussed above, the patents to Suzuki et al. and Shaw are not understood to disclose or suggest print instruction means for

instructing to print, from among still image information stored in a storage medium, still image information including time information between a first moment and a last moment of the period set by said setting means, as recited by amended Claim 32. Therefore, a prima facie case of obviousness has not yet been established against amended Claim 32. Accordingly, Applicant respectfully requests that the rejection of Claim 32 be withdrawn. And since independent Claims 36, 40, and 41 are corresponding method, recording medium, and program claims that correspond to Claim 32, they are allowable for corresponding reasons.

The remaining claims in this application are dependent claims which depend from the above-described independent claims. The dependent claims are believed allowable by virtue of this dependency, and for reciting other patentable features of the invention. Favorable and independent reconsideration of the dependent claims are requested.

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Gary M. Jacobs/

Gary M. Jacobs
Attorney for Applicant
Registration No.: 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

UO/gbm

DC_MAIN 278789v1